

**IDAHO CONTRACTORS BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 10/8/2019**

**BOARD MEMBERS PRESENT:** Rodney Underhill - Chair  
Todd B Webb  
David S Shurtleff  
Michael Arrington

**BOARD MEMBERS ABSENT:** Justin (Jessee) Rosin

**BUREAU STAFF:** Julie Eavenson, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Rob McQuade, Legal Counsel  
Kim Aksamit, Board Specialist  
Eric Nelson, Board Prosecutor

**OTHERS PRESENT:** Hugh Wilcox and Angela Moon

The meeting was called to order at 10:00 AM MDT by Rodney Underhill.

**INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

**FOR BOARD DETERMINATION**

Mr. Webb made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-CON-2020-8; I-CON-2020-34; I-CON-2020-36; I-CON-2020-40; I-CON-2020-50; I-CON-2020-58 and I-CON-2020-89; I-CON-2020-16; I-CON-2020-21; I-CON-2020-46; I-CON-2020-47; I-CON-2020-57; I-CON-2020-79; I-CON-2020-80; I-CON-2020-86 and I-CON-2020-88; I-CON-2020-23; I-CON-2020-25; I-CON-2020-27; I-CON-2020-28 and I-CON-2020-45; I-CON-2018-182; I-CON-2018-329; I-CON-2019-58; I-CON-2019-100; I-CON-2019-152; I-CON-2019-217; I-CON-2019-340; and I-CON-2020-15. It was seconded by Mr. Arrington. Motion carried.

Mr. Webb made a motion to approve the Bureau's recommendation and authorize closure with a warning letter in case numbers I-CON-2018-225; I-CON-2018-339; I-CON-2019-41; I-CON-2019-56; and I-CON-2019-103. It was seconded by Mr. Shurtleff. Motion carried.

## **EXECUTIVE SESSION**

Mr. Arrington made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Webb. The vote was: Mr. Webb, aye; Mr. Shurtleff, aye; Mr. Underhill, aye; and Mr. Arrington, aye. Motion carried.

Mr. Webb made a motion to come out of executive session. It was seconded by Mr. Arrington. Motion carried.

## **DISCIPLINE**

Mr. Webb made a motion to close CON-2019-99; CON-2019-152; CON-2020-7; CON-2020-13; and CON-2019-49 with advisory letters. It was seconded by Mr. Arrington. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case number CON-2019-76. Mr. Webb made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Arrington. Motion carried.

## **FINANCIAL REPORT**

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$58,422.95 as of September 30, 2019. Ms. Eavenson presented a five-year comparison report which the Board asked to see at each meeting.

## **VOLUNTARY SURRENDER**

Ms. Peel presented a proposed Findings of Fact, Conclusions of Law and Final Order for CON-2020-15 and 16. Mr. Webb made a motion to approve the Final Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Shurtleff. Motion carried.

## **EXECUTIVE SESSION**

Mr. Arrington made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Mr. Webb. The vote was: Mr. Webb, aye; Mr. Arrington, aye; Mr. Shurtleff, aye; and Mr. Underhill, aye. Motion carried.

Mr. Webb made a motion to come out of executive session. It was seconded by Mr. Shurtleff. Motion carried.

## **APPLICATIONS**

Mr. Webb made a motion to approve the following for registration:

NEXT GEN CONSTRUCTION LLC	RCE-52870
MOON ANGELA RANA	RCT-52819

It was seconded by Mr. Mr. Arrington. Motion carried.

## **PROPOSED LAWS AND RULES**

Mr. McQuade presented proposed changes to Idaho Code § 54-5211 by adding the inactive status, and by striking the language regarding “generally accepted standard of care” from Idaho Code § 54-5215 (2) (h).

Ms. Peel noted that language regarding registration expiration was better stated in Idaho Code § 67-2614.

Mr. Arrington made a motion to accept the proposed changes to add the inactive status; to strike the language in Idaho Code § 54-5215 (2) (h) regarding “generally accepted standard of care”; and to strike the part of Idaho Code § 54-5211 that states; “No less than thirty (30) days prior to the expiration of such registration, the board shall notify a registered contractor that such registration is set to expire.” It was seconded by Mr. Shurtleff. Motion failed.

Mr. Webb made a motion to accept the change to Idaho Code § 54-5211 adding the inactive status and striking the language; “No less than thirty (30) days prior to the expiration of such registration, the board shall notify a registered contractor that such registration is set to expire.” It was seconded by Mr. Shurtleff. Motion carried.

After some discussion on Idaho Code § 54-5215 (2) (h), the Board took no action.

## **OLD BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **NEW BUSINESS**

### **APPLICATION FOR REGISTRATION**

Mr. Webb made a motion to approve the changes about complete applications on the individual and business entity application forms and post to the website. It was seconded by Mr. Shurtleff. Motion carried.

## **NEXT MEETING DATES:**

January 28, 2020 Face-to-Face Meeting at 9:00 AM MST  
February 18, 2020 Conference Call at 10:00 AM MST  
March 17, 2020 Conference Call at 10:00 AM MDT  
April 21, 2020 Face-to-Face Meeting at 9:00 AM MDT  
May 19, 2020 Conference Call at 10:00 AM MDT

## **EXECUTIVE SESSION**

Mr. Webb made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Mr. Shurtleff. The vote was: Mr. Arrington, aye; Mr. Webb, aye; Mr. Shurtleff, aye; and Mr. Underhill, aye. Motion carried.

Mr. Webb made a motion to come out of executive session. It was seconded by Mr. Arrington. Motion carried.

## **APPLICATIONS**

Mr. Arrington made a motion to approve the following for registration:

W & C PAINTING LLC	RCE-52011
CDA CUSTOM FINISHES LLC	RCE-52672
REAL ESTATE HANDYMAN LLC	RCE-52756
B & B CUSTOMS PAINTING LLC	RCE-52758
A TOUCH OF THE CASCADES LANDSCAPING LLC	RCE-52879
BASSETT JODI RENEE	RCT-52552
RICKEL JAMIE JEFFERY	RCT-52818
SMOTHERMAN CODY RYAN	RCT-52732
WHITE CLINT LANCE	RCT-52642

It was seconded by Mr. Shurtleff. Motion carried.

Mr. Arrington made a motion to approve the following pending receipt of additional information:

901169388

It was seconded by Mr. Webb. Motion carried.

**NEXT MEETING** was scheduled for November 12, 2019 at 10:00 AM MST.

## ADJOURNMENT

Mr. Arrington made a motion to adjourn the meeting at 2:40 PM MDT. It was seconded by Mr. Shurtleff. Motion carried.

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Rodney Underhill, Chair

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Todd B Webb

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Justin (Jessee) Rosin

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David S Shurtleff

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Michael Arrington

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Kelley Packer, Bureau Chief